

**NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT
FOR KIILAE FARMS PROJECT**

NPDES PERMIT NO. HI 0021806

03-CW-PW-14

December 24, 2003

The State Department of Health ("DOH"), tentatively proposes to issue a National Pollutant Discharge Elimination System ("NPDES") permit to discharge storm water runoff from the Kiilae Farms project ("Project") to receiving State waters, subject to special conditions to:

**KIILAE ESTATES LLC
3620 BALDWIN AVENUE
MAKAWAO, MAUI, HAWAII 96768**

The proposed draft permit will expire five (5) years from the date of issuance.

The Project proposes to install the infrastructure which includes a roadway and utilities for the future Kiilae Farms subdivision. The Project will not include the development of subdivision lots. The proposed roadway will connect to the existing Hawaii Belt Road.

Storm water run-off associated with construction activities from the Project is permitted to discharge to the receiving state waters after implementation of Best Management Practices. The discharge point for the Project, Outfall Serial No. 001, may enter the Pacific Ocean at coordinates: Latitude 19°24'27"N, Longitude 155°54'17"W.

The receiving water is classified by the DOH as Class AA, Marine Water. The objective of Class AA waters is to remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions. To the extent practicable, the wilderness character of these areas shall be protected. The uses to be protected in this class of waters are oceanographic research, the support and propagation of shellfish and other marine life, conservation of coral reefs and wilderness areas, compatible recreation, and aesthetic enjoyment. The classification of any water area as Class AA shall not preclude other uses of the waters compatible with these objectives and in conformance with the criteria applicable to them. These waters shall not act as receiving waters for any discharge which has not received the best degree of treatment or control compatible with the criteria established for this class.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing, should submit their comments or requests in writing no later than 30 days after the date of this notice, either in person or by mail, to:

Office Address:

Clean Water Branch
Environmental Management Division
State Department of Health
919 Ala Moana Boulevard
Room 301
Honolulu, HI 96814-4920

Mailing Address:

Clean Water Branch
Environmental Management Division
State Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

Copies of the proposed draft permit, and other information are available for public inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m., at the DOH office address shown above, and Hawaii District Health Offices, 1582 Kamehameha Avenue, Hilo, HI 96720, and Keakealani Building, 79-1020 Haukapila Street, Room 109, Kealahou, HI 96750. Copies may be bought. The draft permit and fact sheet are also available on the internet at <http://www.state.hi.us/doh/eh/cwb/pubntcs/index.html>. For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the draft permit and related information, please contact Mr. Alec Wong, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 586-4309 (Voice) at least seven (7) days before the comment deadline. For those who use a TTY/TDD, please call through Verizon-Hawaii Telephone Relay Service, at 1-711 or (808) 643-8822.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

Chiyome Leinaala Fukino, M. D.
Director of Health